

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Robert W. Mauthe, M.D., P.C.

Plaintiff,

v.

National Imaging Associates, Inc.

Defendant

:
:
: **CIVIL ACTION**
: **NO. 17-1916**
:
:
: **HON. LAWRENCE F. STENGEL**
:
:
:
:

[PROPOSED] ORDER

AND NOW, this ____ day of _____, 2017, upon consideration of Defendant National Imaging Associates, Inc.’s (“NIA”) Motion to Dismiss, it is hereby ORDERED that all claims against NIA in Plaintiff Robert W. Mauthe, M.D., P.C.’s Class Action Complaint (Doc. No. 1) are dismissed with prejudice.

BY THE COURT:

LAWRENCE F. STENGEL
United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Robert W. Mauthe, M.D., P.C.

Plaintiff,

v.

National Imaging Associates, Inc.

Defendant

:
:
:
:
:
:
:
:
:
:
:

CIVIL ACTION

NO. 17-1916

HON. LAWRENCE F. STENGEL

**DEFENDANT NATIONAL IMAGING ASSOCIATES, INC.'S
MOTION TO DISMISS THE CLASS ACTION COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), and for the reasons set forth in the accompanying Memorandum of Law, Defendant National Imaging Associates, Inc. (“NIA”) respectfully moves this Court to dismiss all claims against NIA in Plaintiff Robert W. Mauthe, M.D., P.C.’s Class Action Complaint (Doc. No. 1) with prejudice. Defendant requests oral argument on its motion.

DATED: June 22, 2017

Respectfully submitted,

/s/ Michael E. Baughman
Michael E. Baughman
Eric S. Merin
PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth & Arch Streets
Philadelphia, PA 19103-2799
Tel. (215) 981-4000
Fax. (215) 981-4750
baughmam@pepperlaw.com
merine@pepperlaw.com

*Attorneys for Defendant National
Imaging Associates, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Motion to Dismiss the Class Action Complaint, Proposed Order, and Memorandum of Law in Support of Defendant's Motion to Dismiss the Class Action Complaint, was filed electronically and is available for viewing and downloading from the Court's ECF System. Notice of this filing will be sent to all counsel of record by operation of the ECF System.

/s/ Michael E. Baughman
Michael E. Baughman

Dated: June 22, 2017